GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Establishment – APES - Implement the Hon'ble Tribunal order dated 7.4.2016 in OA No.3436/2016 filed by Sri T.S. Appa Rao, Junior Technical Officer (PR) and two others to fix the pay scale of Rs.1010-1800 in the new common category scale in terms of G.O. Ms.No.288, Fin. & Plg.(PRC.I) Dept. dated: 17.11.1986 with all consequential benefits – Orders – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (E.I) DEPARTMENT

G.O.RT.No. 361 **Dated: 10-05-2019**

Read the following:

1. G.O. Ms.No.288, Finance & Planning (PRC.I) Department, dt. 17.11.1986.
2. G.O. Rt. No.551, Irrigation & CAD (Estt.2) Department, dt.6.8.2004.
3. Orders of the Hon'ble APAT dated 7.4.2016 in OA No.3436/2016
4. From the Engineer-in-Chief, PR, AP, Vijayawada letter No.Ser.II(2)/3436/ 2012, dated 4.1.2017.

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ORDER:

The Hon'ble Tribunal in its order dated:7.4.2016 in OA No.3436/2012 filed by Sri T.S. Appa Rao, Junior Technical Officer (PR) and two others in the reference 3rd read above, have passed the following order:

> 'directed the respondent to consider and take appropriate action on the report of the 2nd respondent vide his letter No.SO.II(2)/2723/ 2009, dated:21.7.2012 pertaining to the claim of the Work Inspectors in the light of the orders passed by the Tribunal in OA No.4617/2010, dated:22.9.2011 and extend the said order to the applicants who are also working as Work Inspectors within three months from the date of receipt of a copy of the order'.

2. The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh vide letter 4th read above has stated Sri T.S.Appa Rao, Junior Technical Officer, PR and two others have filed OA No.3436/2012 before Hon'ble Tribunal requesting to fix their pay scale of Rs.1010-1800 in the new common category scale in terms of G.O. 1st read above with all consequential benefits. In view of the orders of the Hon'ble Tribunal in its order dated:7.4.2016 in OA No.3436/2012, the Applicants in the above said OA, have made representation requesting to implement pay scale of Rs.1010-1800 in the new common category scale of RPS 1986.

3 The Engineer-in-Chief has also stated that the A.P.Panchayat Raj Diploma Engineers Association has also made representation stating that certain Work-charged employees having ITI qualification who are eligible to draw scale of Rs.1010-1800 in RPS 1986 were not implemented by the concerned Unit Officers. As a result the juniors who have got APAT orders were implemented the scale of Rs.1010-1800 and are drawing more pay than their seniors. This should be rectified as per rules in vogue and the pay of the seniors should be protected on par with their juniors. The Association has therefore requested to implement the scale of Rs.1010-1800 in RPS 1986 to Work-charged employees having ITI qualification.

4. The Engineer-in-Chief, Panchayat Raj, AP has therefore requested the Government to issue necessary instructions on the orders of the Hon'ble Tribunal for implementation of time scale of Rs.1010-1800 in RPS, 1986 to the Workcharged employees having ITI qualification.

(contd.P.2)

5. In the G.O. 2nd read above orders were issued in a similar case implementing the orders of the Hon'ble Tribunal in OA Nos. 49955-58/1991, 4206/1992 and 1363/1998 fixing the pay scales and assigned the new common category pay scales of Rs.1010-1800 to the Work charged employees in Irrigation & CAD Department.

6. Government examined the proposal of the Engineer-in-Chief(PR) keeping in view of the similar cases in which Hon'ble Court orders were implemented and also in view of Hon'ble Apex Court orders in the Division Bench of the Punjab and Haryana High Court in Dr. Urmila Vs. State of Haryana (2001(2) SLR 409) and in State of Karnataka Vs. C.Lalitha (2006 (2) SCALE 73) wherein it was held that all persons similarly situated should be treated similarly, only because one person approached the Court, that would not mean that persons similarly situated should be treated differently and Government hereby decided to implement the orders of the Hon'ble Tribunal order dated 7.4.2016 in OA No.3436/2012. Government also decided to extend the same provision in respect of employees who are working in Panchayat Raj Engineering Department and similarly situated (Workcharged Work Inspectors with ITI qualification), so that they may not be given chance to file case in the Courts by each and every one on the same issue.

7. Accordingly, Government hereby permit the Engineer-in-Chief, PR, AP, Vijayawada to implement the orders of the Hon'ble Tribunal order dated 7.4.2016 in OA No.3436/2016 and also to implement in respect of employees who are working in Panchayat Raj Engineering Department and similarly situated (Workcharged Work Inspectors with ITI qualification), so that they may not be given chance to file case in the Courts by each and every one on the same issue.

8. The Engineer-in-Chief, Panchayat Raj, AP, Vijayawada shall take further necessary action in the matter.

9. This order issues with the concurrence of Finance (PRC) Department vide their U.O. No.FIN01-HROPCTA(RPRC)/1/2019-TA Computer No.648903, dated:25.03.2019.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief, PR, AP, Vijayawada.
Copy to:
The Finance (PRC) Department.
The Accountant General, AP, Hyderabad.
The Pay & Accounts Officer, AP, Vijayawada.
The Director of Treasuries & Accounts, AP, Vijayawada.
The OSD to Minister (PR)
The PS to Prl. Secretary to Govt(PR&RD)
SF/SCs

// FORWARDED :: BY ORDER //

SECTION OFFICER